OhioEPA
State of Ohio Environmental Protection Agency
Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

May 8, 2009

RE: FORMER GENERAL INDUSTRIES
OHD 004 448 551
LORAIN COUNTY

CERTIFIED MAIL

Mr. John Peshek
c/o B-Vest Properties
154 Olive Street
Elyria, OH 44035

Mr. Jack Vasi
618 Oberlin Road
Elyria, OH 44035

Dear Mr. Peshek and Mr. Vasi:

On April 10, 2009, US EPA forwarded, via e-mail, copies of three different material safety data sheets (MSDS) for three different chemicals believed to be remaining at the former General Industries site located at 154 Olive Street, Elyria, to Ohio EPA. The three MSDS were for the following materials all manufactured by Ashland:

Aropol™Q 6585 Resin 30070
Aropol™ Q 8000 Resin 31600
Aropol Mod E ACC 3906076

Mr. Peshek indicated to US EPA that he was working with the owner of the material to have them remove the drums from the site. Mr. Peshek did not divulge the name of this owner.

Ohio EPA has several concerns with this proposed course of action.

First, when Ohio EPA had a meeting with you, no mention of other persons who may own some of the drummed material was referenced when the subject of the remaining on-site drums was discussed. Ohio EPA would want to know the names of said owners. If these owners were to take responsibility for the drums, documentation would need to be presented to Ohio EPA demonstrating the final disposition of the drums (e.g. manifests, bills of lading, etc.).

Second, based on Ohio EPA's observations, the drums remaining at the site are not clearly labeled. Many are missing labels and many were scorched by the fire. Mr. Peshek and/or the owner of the drums would need to make a definitive demonstration that the drums do contain the materials as noted in the MSDS and not some other material. This demonstration could be made through implementing a sampling and analysis plan approved by Ohio EPA. If you decide to characterize the drums on your own, be aware that if you cannot thoroughly document and demonstrate the following, the sampling may not be acceptable and would have to be repeated:

1. How the samples were collected;

2. The sampling was representative; and

3. The laboratory results pass a data validation.

Third, if the drums do contain the material as indicated by the MSDS, the drums may have undergone reactions due to the fire. Per the MSDS these chemicals can undergo polymerization if exposed to heat. In addition, the drums have been exposed to the elements since the fire and may no longer be usable. If the material is a waste, a demonstration that the waste is non hazardous would need to be made and the drums would need to be removed to the appropriate disposal facility.

Please be aware that Ohio EPA has noted at least 52 drums on site that have lids. Of these, some have bungs in place, others are open. There are additional drums that have no tops and may be empty or have material, including, but not limited to rainwater. There is also a plastic square tank with a dark reddish liquid. It has the top plug removed with a hose sticking into it. There is another plastic tank that has some residual liquid in the bottom. Finally, there is a metal tank labeled "clean". It is unknown as to whether or not any of these containers match the MSDS or if they contain any material at all.

You cannot dump any of the material found in these containers on the ground or into the sewer system even if you believe it only contains rainwater. You will need to do analytical testing prior to removing any of the containers from the site so that the material in them can be managed appropriately. As discussed with you in early correspondence, the material would need to be analyzed to determine whether or not the material should be managed as a hazardous waste. If any sampling is conducted on any of the containerized material, please consider submitting a sampling and analysis plan as discussed above. If you chose not to submit a plan, please notify Ohio EPA at least five (5) business days in advance of the event so that we might be present to watch the sampling and perhaps split samples with you.

Please do not consolidate the material in the containers without being able to demonstrate what is in each container. If you mix a hazardous waste with a non hazardous waste, you may be conducting treatment of a hazardous waste without a permit, which is a significant violation of Ohio's rules and regulations. Once you can demonstrate that there are like materials, you can consolidate the materials for off-site shipment.

If you need to contact Ohio EPA regarding this issue, please contact me at (330) 963-1159.

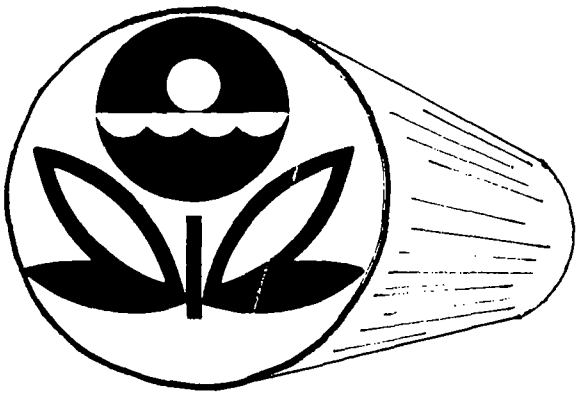
Sincerely,

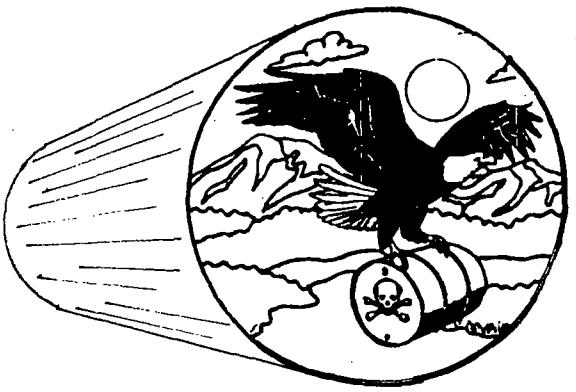
Karen Nesbit
Division of Hazardous Waste Management

KN:ddw

cc: Bob Princic, DAPC, NEDO
Keith Riley, Assistant Chief, NEDO
Rich Blasick, DSW, NEDO
Tom Buchan, DAPC, CO
Charlotte Hickox, Director's Office, CO
Joseph Fredle, U.S. EPA – Westlake
Terry Shilling, City of Elyria

ec: Natalie Oryshkewych, DHWM, NEDO
Rich Kolosionek, DAPC, NEDO





UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
Region V
Response Section I

TEAM WESTLAKE

25089 Center Ridge Road
Westlake, Ohio 44145

FACSIMILE/TELECOPY REQUEST	
TO: BOB PRINCIC	MAIL CODE:
TELEPHONE: ( )	FAX TELEPHONE: ( )

SUBJECT: HERE ARE THE MSDS's THAT I MENTIONED IN MY VOICE MAIL

FROM: JOE FREDLE	MAIL CODE: 5 SEDD
TELEPHONE: 440-250-1740	FAX TELEPHONE: 440-250-1750

NUMBER OF PAGES INCLUDING THIS COVER SHEET:	27
DATE:	
TIME:	

103700
Q-6585

ASHLAND
SAFETY DATA SHEET

Revision Date: 02/20/2007
Print Date: 4/15/2007
MSDS Number: R0027833
Version: 1.5

AROPOL™ Q 6585 RESIN 30070

1. IDENTIFICATION OF THE SUBSTANCE/PREPARATION AND OF THE COMPANY/UNDERTAKING

Ashland P.O. Box 2219 Columbus, OH 43216	Regulatory Information Number Telephone Emergency telephone number	1-800-325-3751 614-790-3333 1-800-ASHLAND (1-800-274-5263)

Product name	AROPOL™ Q 6585 RESIN
Product code	30070
Product Use Description	No data

2. HAZARDS IDENTIFICATION

Emergency Overview

Appearance: liquid, pungent, amber

WARNING! Unstable Reactive. Flammable Liquid, Toxic by inhalation, Moderate skin irritant, Moderate eye irritant, Carcinogen.

Potential Health Effects

Routes of exposure
Inhalation, Skin absorption, Skin contact, Eye Contact, Ingestion

Eye contact
Can cause eye irritation. Symptoms include stinging, tearing, redness, and swelling of eyes.

Skin contact
Can cause skin irritation. Prolonged or repeated contact may dry the skin. Symptoms may include redness, burning, and drying and cracking of skin, burns and other skin damage. Passage of this material into the body through the skin is possible, but it is unlikely that this would result in harmful effects during safe handling and use.

Ingestion
Swallowing small amounts of this material during normal handling is not likely to cause harmful effects. Swallowing large amounts may be harmful. This material can get into the lungs during swallowing or vomiting. This results in lung inflammation and other lung injury.

Inhalation

Breathing of vapor or mist is possible. Breathing aerosol and/or mist is possible when material is sprayed. Aerosol and mist may present a greater risk of injury because more material may be present in the air than from vapor alone. Breathing small amounts of this material during normal handling is not likely to cause harmful effects. Breathing large amounts may be harmful. Symptoms are not expected at air concentrations below the recommended exposure limits, if applicable (see Section 8.).

Aggravated Medical Condition

Preexisting disorders of the following organs (or organ systems) may be aggravated by exposure to this material:, respiratory tract, skin, lung (for example, asthma-like conditions), liver, male reproductive system, auditory system

Symptoms

Signs and symptoms of exposure to this material through breathing, swallowing, and/or passage of the material through the skin may include:, metallic taste, stomach or intestinal upset (nausea, vomiting, diarrhea), irritation (nose, throat, airways), central nervous system depression (dizziness, drowsiness, weakness, fatigue, nausea, headache, unconsciousness) and other central nervous system effects, loss of coordination, confusion, liver damage

Target Organs

Overexposure to this material (or its components) has been suggested as a cause of the following effects in laboratory animals:, mild, reversible kidney effects, effects on hearing, respiratory tract damage (nose, throat, and airways), testis damage, liver damage, Overexposure to this material (or its components) has been suggested as a cause of the following effects in humans:, mild effects on color vision, effects on hearing, respiratory tract damage (nose, throat, and airways), central nervous system effects

Carcinogenicity

There was no increase in cancer in rats exposed to styrene by inhalation. However, there was an increase in lung cancer in styrene-exposed mice. The relevance of the mouse lung cancer to humans is uncertain. Styrene did not cause cancer in mice in studies in which the chemical was placed in the stomachs through a feeding tube, or in a study in which styrene was given by injection. Epidemiological studies do not provide a basis for concluding that styrene causes cancer. Styrene is listed as a carcinogen by the International Agency for Research on Cancer (IARC).

Reproductive hazard.

This material (or a component) has been shown to cause harm to the fetus in laboratory animal studies. Harm to the fetus occurs only at exposure levels that harm the pregnant animal. The relevance of these findings to humans is uncertain.

Other information

Styrene readily reacts with low concentrations of halogens (for example, fluorine, chlorine, bromine, or iodine) to form a tear-producing substance.

3. COMPOSITION/INFORMATION ON INGREDIENTS

Components	CAS-No.	Concentration
STYRENE	100-42-5	>=30-<40%

4. FIRST AID MEASURES

Eyes

If symptoms develop, immediately move individual away from exposure and into fresh air. Flush eyes gently with water for at least 15 minutes while holding eyelids apart; seek immediate medical attention.

Skin

Remove contaminated clothing. Flush exposed area with large amounts of water. If skin is damaged, seek immediate medical attention. If skin is not damaged and symptoms persist, seek medical attention. Launder clothing before reuse.

Ingestion

Seek medical attention. If individual is drowsy or unconscious, do not give anything by mouth; place individual on the left side with the head down. Contact a physician, medical facility, or poison control center for advice about whether to induce vomiting. If possible, do not leave individual unattended.

Inhalation

If symptoms develop, move individual away from exposure and into fresh air. If symptoms persist, seek medical attention. If breathing is difficult, administer oxygen. Keep person warm and quiet; seek immediate medical attention.

Notes to physician

Hazards: This material is an aspiration hazard. Potential danger from aspiration must be weighed against possible oral toxicity (See Section 2 - Swallowing) when deciding whether to induce vomiting.

Treatment: No information available.

5. FIRE-FIGHTING MEASURES

Suitable extinguishing media

dry chemical, carbon dioxide (CO2), foam, water

Hazardous combustion products

May form:, carbon dioxide and carbon monoxide, toxic fumes, various hydrocarbons

Precautions for fire-fighting

Material is volatile and readily gives off vapors which may travel along the ground or be moved by ventilation and ignited by pilot lights, flames, sparks, heaters, smoking, electric motors, static discharge or other ignition sources at locations near the material handling point.Wear full firefighting turn-out gear (full Bunker gear), and respiratory protection (SCBA). Polymerization will take place under fire conditions. If polymerization occurs in a closed container, there is a possibility it will rupture violently. Cool storage container with water, if exposed to fire.

Flammability Class for Flammable Liquids

Flammable Liquid Class ICFlammable Liquid Class IC

6. ACCIDENTAL RELEASE MEASURES

Personal precautions

For personal protection see section 8. Eliminate all ignition sources (flares, flames including pilot lights, electrical sparks). Persons not wearing protective equipment should be excluded from area of spill until clean-up has been completed. Stop spill at source. Prevent from entering drains, sewers, streams or other bodies of water. Prevent from spreading. If runoff occurs, notify authorities as required. Pump or vacuum transfer spilled product to clean containers for recovery. Absorb unrecoverable product. Transfer contaminated absorbent, soil and other materials to containers for disposal.

Environmental precautions

Prevent run-off to sewers, streams or other bodies of water. If run-off occurs, notify proper authorities as required, that a spill has occurred.

Methods for cleaning up

Absorb liquid on vermiculite, floor absorbent or other absorbent material.

7. HANDLING AND STORAGE

Handling

Containers of this material may be hazardous when emptied. Since emptied containers retain product residues (vapor, liquid, and/or solid), all hazard precautions given in the data sheet must be observed. Avoid prolonged or frequently repeated skin contact with this material. Skin contact can be minimized by wearing impervious protective gloves. As with all products of this nature, good personal hygiene is essential. Hands and other exposed areas should be washed thoroughly with soap and water after

contact, especially before eating and/or smoking. Regular laundering of contaminated clothing is essential to reduce indirect skin contact with this material. Static ignition hazard can result from handling and use. Electrically bond and ground all containers, personnel and equipment before transfer or use of material. Special precautions may be necessary to dissipate static electricity for non-conductive containers. Use proper bonding and grounding during product transfer as described in National Fire Protection Association document NFPA 77.

Storage

Store in closed containers in a dry, well-ventilated area. Do not store near extreme heat, open flame, or sources of ignition.

8. EXPOSURE CONTROLS / PERSONAL PROTECTION

Exposure Guidelines

STYRENE		100-42-5
ACGIH	time weighted average	20 ppm
ACGIH	Short term exposure limit	40 ppm
NIOSH	Recommended exposure limit (REL):	50 ppm
NIOSH	Recommended exposure limit (REL):	215 mg/m3
NIOSH	Short term exposure limit	100 ppm
NIOSH	Short term exposure limit	425 mg/m3
OSHA Z2	time weighted average	100 ppm
OSHA Z2	Ceiling Limit Value:	200 ppm
OSHA Z2	Maximum concentration:	600 ppm

General advice

These recommendations provide general guidance for handling this product. Personal protective equipment should be selected for individual applications and should consider factors which affect exposure potential, such as handling practices, chemical concentrations and ventilation. It is ultimately the responsibility of the employer to follow regulatory guidelines established by local authorities.

Exposure controls

Provide sufficient mechanical (general and/or local exhaust) ventilation to maintain exposure below TLV(s). OSHA has formally endorsed a styrene industry proposal for a voluntary 50 ppm workplace limit on styrene. Members of theStyrene Information and Research Council (SIRC), Composites Institute (CI), Composite Fabricators Association (CFA), International Cast Polymers Association (ICPA) and National Marine Manufacturers Association (NMMA) have agreed to use either

engineering controls, work practices or respiratory protection to achieve this voluntary limit for styrene.

Eye protection

Chemical splash goggles in compliance with OSHA regulations are advised; however, OSHA regulations also permit other type safety glasses. Consult your safety representative.

Skin and body protection

Wear resistant gloves (consult your safety equipment supplier).
To prevent repeated or prolonged skin contact, wear impervious clothing and boots.

Respiratory protection

If workplace exposure limit(s) of product or any component is exceeded (see exposure guidelines), a NIOSH-approved air supplied respirator is advised in absence of proper environmental control. OSHA regulations also permit other NIOSH respirators (negative pressure type) under specified conditions (see your industrial hygienist). Engineering or administrative controls should be implemented to reduce exposure.

9. PHYSICAL AND CHEMICAL PROPERTIES

Physical state	liquid
Form	No data
Colour	amber
Odour	pungent
Boiling point/range	293 °F / 145 °C
pH	No data
Flash point	84.99 °F / 29.44 °C
Evaporation rate	No data
Explosion limits	1.1 %(V) 6.1 %(V)
Vapour pressure	4.5000000 mmHg @ 68 °F / 20 °C
Vapour density	3.6
Density	1.12 g/cm3 @ 77 °F / 25 °C 9.3 lb/gal @ 77 °F / 25 °C
Solubility	insoluble in water
Partition coefficient (n-octanol/water)	No data
Autoignition temperature	No data

10. STABILITY AND REACTIVITY

Stability
This material is unstable at elevated temperatures and pressures.

Conditions to avoid
None known.

Incompatible products
Avoid contact with:, acids, aluminum chloride, halogens, iron chloride, metal salts, peroxides, strong alkalis, strong oxidizing agents

Hazardous decomposition products
May form:, carbon dioxide and carbon monoxide, toxic fumes, various hydrocarbons

Hazardous reactions
Product can undergo hazardous polymerization., Avoid exposure to excessive heat, peroxides and polymerization catalysts.

Thermal decomposition
No data

11. TOXICOLOGICAL INFORMATION

Acute oral toxicity

STYRENE	LD 50 Rat: 2,650 mg/kg

Acute inhalation toxicity

STYRENE	LC 50 Rat: 2800 ppm, 4 h

Acute dermal toxicity

12. ECOLOGICAL INFORMATION

Aquatic toxicity

Acute and Prolonged Toxicity to Fish
No data

Acute Toxicity to Aquatic Invertebrates

No data

Environmental fate and pathways
No data

13. DISPOSAL CONSIDERATIONS

Waste disposal methods
Dispose of in accordance with all applicable local, state and federal regulations. Do not discharge effluent containing this product into lakes, streams, ponds or estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit, and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA. For assistance with your waste management needs - including disposal, recycling and waste stream reduction, contact Ashland Distribution Company, IC&S Environmental Services Group at 800-637-7922.

14. TRANSPORT INFORMATION

IMDG:
UN1866, RESIN SOLUTION 3, III
IATA_P:
UN1866, Resin solution 3, III
IATA_C:
UN1866, Resin solution 3, III
CFR_ROAD:
UN1866, Resin solution 3, III
CFR_RAIL:
UN1866, Resin solution 3, III
CFR_INWTR:
UN1866, Resin solution 3, III
IMDG_INWTR:
UN1866, RESIN SOLUTION 3, III
IMDG_ROAD:
UN1866, RESIN SOLUTION 3, III
IMDG_RAIL:
UN1866, RESIN SOLUTION 3, III

Dangerous goods descriptions may not reflect package size, quantity, end-use or region-specific exceptions that can be applied to shipments. Consult shipping documents for material-specific descriptions.

15. REGULATORY INFORMATION

California Prop. 65
WARNING! This product contains a chemical known in the State of California to cause cancer.
BENZENE
WARNING! This product contains a chemical known in the State of California to cause birth defects or other reproductive harm.
BENZENE

SARA Hazard Classification Reactivity Hazard

Fire Hazard
Acute Health Hazard
Chronic Health Hazard

SARA 313 Component(s)

STYRENE	100-42-5	33.9898%

OSHA Hazards Unstable ReactiveFlammable Liquid
Toxic by inhalation
Moderate skin irritant
Moderate eye irritant
Carcinogen

	Health	Flammability	Reactivity	Other
HMIS	2	3	2	
NFPA	2	3	2	

16. OTHER INFORMATION

The information accumulated herein is believed to be accurate but is not warranted to be whether originating with the company or not. Recipients are advised to confirm in advance of need that the information is current, applicable, and suitable to their circumstances.

This MSDS has been prepared by Ashland's Environmental Health and Safety Department (1-800-325-3751).

103800
Q-8000

ASHLAND
SAFETY DATA SHEET

AUG 17 RECD

Revision Date: 05/08/2007
Print Date: 8/9/2007
MSDS Number: R0391098
Version: 3.3

AROPOL™ Q 8000 RESIN 31600

1. IDENTIFICATION OF THE SUBSTANCE/PREPARATION AND OF THE COMPANY/UNDERTAKING

Ashland	Regulatory Information Number	1-800-325-3751
P.O. Box 2219	Telephone	614-790-3333
Columbus, OH 43216	Emergency telephone number	1-800-ASHLAND (1-800-274-5263)

Product name	AROPOL™ Q 8000 RESIN
Product code	31600
Product Use Description	No data

2. HAZARDS IDENTIFICATION

Emergency Overview

Appearance: liquid,

WARNING! FLAMMABLE LIQUID AND VAPOR. MAY AFFECT THE CENTRAL NERVOUS SYSTEM CAUSING DIZZINESS, HEADACHE OR NAUSEA. MAY BE HARMFUL IF INHALED OR SWALLOWED. MAY CAUSE EYE, SKIN AND RESPIRATORY TRACT IRRITATION. PROLONGED OR REPEATED CONTACT MAY DRY SKIN, CAUSE IRRITATION AND BURNS.

Potential Health Effects

Routes of Exposure
Inhalation, Skin absorption, Skin contact, Eye Contact, Ingestion

Eye Contact
Can cause eye irritation. Symptoms include stinging, tearing, redness, and swelling of eyes.

Skin Contact
Can cause skin irritation. Prolonged or repeated contact may dry the skin. Symptoms may include redness, burning, and drying and cracking of skin, burns and other skin damage. Passage of this material into the body through the skin is possible, but it is unlikely that this would result in harmful effects during safe handling and use.

Ingestion
Swallowing small amounts of this material during normal handling is not likely to cause harmful effects. Swallowing large amounts may be harmful. This material can get

into the lungs during swallowing or vomiting. This results in lung inflammation and other lung injury.

Inhalation

Breathing aerosol and/or mist is possible when material is sprayed. Aerosol and mist may present a greater risk of injury because more material may be present in the air than from vapor alone. Breathing small amounts of this material during normal handling is not likely to cause harmful effects. Breathing large amounts may be harmful. Symptoms are not expected at air concentrations below the recommended exposure limits, if applicable (see Section 8.).

Aggravated Medical Condition

Preexisting disorders of the following organs (or organ systems) may be aggravated by exposure to this material:, respiratory tract, skin, lung (for example, asthma-like conditions), liver, male reproductive system, auditory system

Symptoms

Signs and symptoms of exposure to this material through breathing, swallowing, and/or passage of the material through the skin may include:, metallic taste, stomach or intestinal upset (nausea, vomiting, diarrhea), irritation (nose, throat, airways), central nervous system depression (dizziness, drowsiness, weakness, fatigue, nausea, headache, unconsciousness) and other central nervous system effects, loss of coordination, confusion, liver damage

Target Organs

Overexposure to this material (or its components) has been suggested as a cause of the following effects in laboratory animals:, mild, reversible kidney effects, effects on hearing, respiratory tract damage (nose, throat, and airways), testis damage, liver damage, Ovetexposure to this material (or its components) has been suggested as a cause of the following effects in humans:, mild effects on color vision, effects on hearing, respiratory tract damage (nose, throat, and airways), central nervous system effects

Carcinogenicity

There was no increase in cancer in rats exposed to styrene by inhalation. However, there was an increase in lung cancer in styrene-exposed mice. The relevance of the mouse lung cancer to humans is uncertain. Styrene did not cause cancer in mice in studies in which the chemical was placed in the stomachs through a feeding tube, or in a study in which styrene was given by injection. Epidemiological studies do not provide a basis for concluding that styrene causes cancer. Styrene is listed as a possible human carcinogen by the International Agency for Research on Cancer (IARC).

Reproductive Hazard

This material (or a component) has been shown to cause harm to the fetus in laboratory animal studies. Harm to the fetus occurs only at exposure levels that harm the pregnant animal. The relevance of these findings to humans is uncertain.

Other Information

Styrene readily reacts with low concentrations of halogens (for example, fluorine, chlorine, bromine, or iodine) to form a tear-producing substance.

3. COMPOSITION/INFORMATION ON INGREDIENTS

Components	CAS-No.	Concentration
STYRENE	100-42-5	>=50-<=52%
STYRENE	100-42-5	>=50-<=52%

4. FIRST AID MEASURES

Eyes

If symptoms develop, immediately move individual away from exposure and into fresh air. Flush eyes gently with water for at least 15 minutes while holding eyelids apart; seek immediate medical attention.

Skin

Remove contaminated clothing. Flush exposed area with large amounts of water. If skin is damaged, seek immediate medical attention. If skin is not damaged and symptoms persist, seek medical attention. Launder clothing before reuse.

Ingestion

Seek medical attention. If individual is drowsy or unconscious, do not give anything by mouth; place individual on the left side with the head down. Contact a physician, medical facility, or poison control center for advice about whether to induce vomiting. If possible, do not leave individual unattended.

Inhalation

If symptoms develop, move individual away from exposure and into fresh air. If symptoms persist, seek medical attention. If breathing is difficult, administer oxygen. Keep person warm and quiet; seek immediate medical attention.

Notes to Physician

Hazards: This material is an aspiration hazard. Potential danger from aspiration must be weighed against possible oral toxicity (See Section 2 - Swallowing) when deciding whether to induce vomiting.

Treatment: No information available.

5. FIRE-FIGHTING MEASURES

Suitable Extinguishing Media

water spray, carbon dioxide (CO2), dry chemical, foam

Hazardous Combustion Products

May form:, carbon dioxide and carbon monoxide, toxic fumes, various hydrocarbons

Precautions for Fire-Fighting

Material is volatile and readily gives off vapors which may travel along the ground or be moved by ventilation and ignited by pilot lights, flames, sparks, heaters, smoking, electric motors, static discharge or other ignition sources at locations near the material handling point. Wear full firefighting turn-out gear (full Bunker gear), and respiratory protection (SCBA). Polymerization will take place under fire conditions. If polymerization occurs in a closed container, there is a possibility it will rupture violently. Cool storage container with water, if exposed to fire.

Flammability Class for Flammable Liquids

Flammable Liquid Class ICFlammable Liquid Class IC

6. ACCIDENTAL RELEASE MEASURES

Personal Precautions

For personal protection see section 8. Eliminate all ignition sources (flares, flames including pilot lights, electrical sparks). Persons not wearing protective equipment should be excluded from area of spill until clean-up has been completed. Stop spill at source. Prevent from entering drains, sewers, streams or other bodies of water. Prevent from spreading. If runoff occurs, notify authorities as required. Pump or vacuum transfer spilled product to clean containers for recovery. Absorb unrecoverable product. Transfer contaminated absorbent, soil and other materials to containers for disposal.

Environmental Precautions

Prevent run-off to sewers, streams or other bodies of water. If run-off occurs, notify proper authorities as required, that a spill has occurred.

Methods for Cleaning Up

Persons not wearing protective equipment should be excluded from area of spill until clean-up has been completed. Stop spill at source, dike area of spill to prevent

spreading, pump liquid to salvage tank. Remaining liquid may be taken up on sand, clay, earth, floor absorbent, or other absorbent material and shoveled into containers.

7. HANDLING AND STORAGE

Handling

Containers of this material may be hazardous when emptied. Since emptied containers retain product residues (vapor, liquid, and/or solid), all hazard precautions given in the data sheet must be observed. Avoid prolonged or frequently repeated skin contact with this material. Skin contact can be minimized by wearing impervious protective gloves. As with all products of this nature, good personal hygiene is essential. Hands and other exposed areas should be washed thoroughly with soap and water after contact, especially before eating and/or smoking. Regular laundering of contaminated clothing is essential to reduce indirect skin contact with this material. Static ignition hazard can result from handling and use. Electrically bond and ground all containers, personnel and equipment before transfer or use of material. Special precautions may be necessary to dissipate static electricity for non-conductive containers. Use proper bonding and grounding during product transfer as described in National Fire Protection Association document NFPA 77.

Storage

Store in closed containers in a dry, well-ventilated area. Do not store near extreme heat, open flame, or sources of ignition.

8. EXPOSURE CONTROLS / PERSONAL PROTECTION

Exposure Guidelines

STYRENE		**100-42-5**
ACGIH	time weighted average	20 ppm
ACGIH	Short term exposure limit	40 ppm
NIOSH	Recommended exposure limit (REL):	50 ppm
NIOSH	Recommended exposure limit (REL):	215 mg/m3
NIOSH	Short term exposure limit	100 ppm
NIOSH	Short term exposure limit	425 mg/m3
OSHA Z2	time weighted average	100 ppm
OSHA Z2	Ceiling Limit Value:	200 ppm
OSHA Z2	Maximum concentration:	600 ppm

General Advice

These recommendations provide general guidance for handling this product. Personal protective equipment should be selected for individual applications and should

consider factors which affect exposure potential, such as handling practices, chemical concentrations and ventilation. It is ultimately the responsibility of the employer to follow regulatory guidelines established by local authorities.

Exposure Controls

Provide sufficient mechanical (general and/or local exhaust) ventilation to maintain exposure below TLV(s). OSHA has formally endorsed a styrene industry proposal for a voluntary 50 ppm workplace limit on styrene. Members of theStyrene Information and Research Council (SIRC), Composites Institute (CI), Composite Fabricators Association (CFA), International Cast Polymers Association (ICPA) and National Marine Manufacturers Association (NMMA) have agreed to use either engineering controls, work practices or respiratory protection to achieve this voluntary limit for styrene.

Eye Protection

Chemical splash goggles in compliance with OSHA regulations are advised; however, OSHA regulations also permit other type safety glasses. Consult your safety representative.

Skin and Body Protection

Wear resistant gloves (consult your safety equipment supplier). To prevent repeated or prolonged skin contact, wear impervious clothing and boots.

Respiratory Protection

If workplace exposure limit(s) of product or any component is exceeded (see exposure guidelines), a NIOSH-approved air supplied respirator is advised in absence of proper environmental control. OSHA regulations also permit other NIOSH respirators (negative pressure type) under specified conditions (see your industrial hygienist). Engineering or administrative controls should be implemented to reduce exposure.

9. PHYSICAL AND CHEMICAL PROPERTIES

Physical state	liquid
Form	No data
Colour	No data
Odour	pungent
Boiling point/range	293 °F / 145 °C
pH	No data
Flash point	84.9 °F / 29.4 °C Seta closed cup
Evaporation rate	> 1 (Ethyl Ether)
Explosion limits	1.1 %(V) 6.6 %(V)
Vapour pressure	0.853 kPa @ 77 °F / 25 °C

Vapour density	1
Density	1.078 g/cm3 @ 77 °F / 25 °C 8.835 lb/gal @ 77.00 °F / 25.00 °C
Solubility	insoluble in water
Partition coefficient (n-octanol/water)	No data
Autoignition temperature	No data

10. STABILITY AND REACTIVITY

Stability

This material is unstable at elevated temperatures and pressures.

Conditions to Avoid

Avoid heat, open flame, and prolonged storage at elevated temperatures., Avoid contact with:, excessive heat

Incompatible Products

Avoid contact with:, acids, aluminum chloride, halogens, iron chloride, metal salts, peroxides, strong alkalis, strong oxidizing agents

Hazardous Decomposition Products

May form:, carbon dioxide and carbon monoxide, toxic fumes, various hydrocarbons

Hazardous Reactions

Product can undergo hazardous polymerization., Avoid exposure to excessive heat, peroxides and polymerization catalysts.

Thermal Decomposition

No data

11. TOXICOLOGICAL INFORMATION

Acute Oral Toxicity

STYRENE	LD 50 Rat: 2,650 mg/kg
STYRENE	LD 50 Rat: 2,650 mg/kg

Acute Inhalation Toxicity

STYRENE	LC 50 Rat: 2800 ppm, 4 h
STYRENE	LC 50 Rat: 2800 ppm, 4 h

Acute Dermal Toxicity

12. ECOLOGICAL INFORMATION

Aquatic Toxicity

Acute and Prolonged Toxicity to Fish
No data

Acute Toxicity to Aquatic Invertebrates
No data

Environmental Fate and Pathways
No data

13. DISPOSAL CONSIDERATIONS

Waste Disposal Methods Dispose of in accordance with all applicable local, state and federal regulations. Do not discharge effluent containing this product into lakes, streams, ponds or estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NPDES) permit, and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA. For assistance with your waste management needs - including disposal, recycling and waste stream reduction, contact Ashland Distribution's Environmental Services Group at 800-637-7922.For assistance with your waste management needs - including disposal, recycling and waste stream reduction, contact Ashland Distribution's Environmental Services Group at 800-637-7922.

14. TRANSPORT INFORMATION

IMDG:
UN1866, RESIN SOLUTION 3, III
IATA_P:
UN1866, Resin solution 3, III

IATA_C:
UN1866, Resin solution 3, III
CFR_ROAD:
UN1866, Resin solution 3, III
CFR_RAIL:
UN1866, Resin solution 3, III
CFR_INWTR:
UN1866, Resin solution 3, III
IMDG_INWTR:
UN1866, RESIN SOLUTION 3, III
IMDG_ROAD:
UN1866, RESIN SOLUTION 3, III
IMDG_RAIL:
UN1866, RESIN SOLUTION 3, III

Dangerous goods descriptions (if indicated above) may not reflect package size, quantity, end-use or region-specific exceptions that can be applied. Consult shipping documents for descriptions that are specific to the shipment.

15. REGULATORY INFORMATION

California Prop. 65
WARNING! This product contains a chemical known in the State of California to cause cancer.
ACETALDEHYDE
BENZENE
ETHANOL
CATECHOL

WARNING! This product contains a chemical known in the State of California to cause birth defects or other reproductive harm.
BENZENE

SARA Hazard Classification	Fire Hazard Acute Health Hazard Chronic Health Hazard Reactivity Hazard	
SARA 313 Component(s)		
STYRENE	100-42-5	50.625%

OSHA Hazards

Toxic by inhalation
Moderate skin irritant
Flammable Liquid
Moderate eye irritant
Carcinogen
Unstable Reactive

	Health	Flammability	Reactivity	Other
HMIS	2	3	2	
NFPA	2	3	2	

16. OTHER INFORMATION

The information accumulated herein is believed to be accurate but is not warranted to be whether originating with the company or not. Recipients are advised to confirm in advance of need that the information is current, applicable, and suitable to their circumstances. This MSDS has been prepared by Ashland's Environmental Health and Safety Department (1-800-325-3751).

130300 model

MATERIAL SAFETY DATA SHEET

Ashland

Date Prepared: 02/21/01
Date Printed: 03/17/01
MSDS No: 304.0301088-003.002

AROPOL MOD E ACC

1. CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

Material Identity
Product Name: AROPOL MOD E ACC
Product Code: 3906076
General or Generic ID: INHIBITOR SOLUTION

Company
Ashland
Ashland Distribution Co. &
Ashland Specialty Chemical Co.
P. O. Box 2219
Columbus, OH 43216
614-790-3333

Emergency Telephone Number:
1-800-ASHLAND (1-800-274-5263)
24 hours everyday

Regulatory Information Number:
1-800-325-3751

2. COMPOSITION/INFORMATION ON INGREDIENTS

Ingredient(s)	CAS Number	% (by weight)
DIALLYL PHTHALATE	131-17-9	93.0- 97.0
PARA-BENZOQUINONE	106-51-4	5.0

3. HAZARDS IDENTIFICATION

Potential Health Effects

Eye
Can cause severe eye irritation. Symptoms include stinging, tearing, redness, and swelling of eyes. Can injure eye tissue.

Skin
Can cause skin irritation. Symptoms may include redness and burning of skin, and other skin damage. Additional symptoms of skin contact may include: skin blistering abnormal coloring of the skin.

Swallowing
Swallowing this material may be harmful or fatal. Symptoms may include severe stomach and intestinal irritation (nausea, vomiting, diarrhea), abdominal pain, and vomiting of blood. Swallowing this material may cause burns and destroy tissue in the mouth, throat, and digestive tract. Low blood pressure and shock may occur as a result of severe tissue injury.

Inhalation
Breathing of vapor or mist is possible. Breathing this material may be harmful.

Symptoms of Exposure
Signs and symptoms of exposure to this material through breathing, swallowing, and/or passage of the material through the skin may include: stomach or intestinal upset (nausea, vomiting, diarrhea), cough, central nervous system depression (dizziness, drowsiness, weakness, fatigue, nausea, headache, unconsciousness), shortness of breath, visual impairment (including blindness), and death.

Continued on next page

Target Organ Effects
Overexposure to this material (or its components) has been suggested as a cause of the following effects in laboratory animals: blood abnormalities, liver abnormalities, lung damage.

Developmental Information
No data

Cancer Information
No data

Other Health Effects
No data

Primary Route(s) of Entry
Inhalation, Skin contact, Eye contact, Ingestion.

4. FIRST AID MEASURES

Eyes
If symptoms develop, immediately move individual away from exposure and into fresh air. Flush eyes gently with water for at least 15 minutes while holding eyelids apart; seek immediate medical attention.

Skin
Immediately flush skin with water for at least 15 minutes while removing contaminated clothing and shoes. Seek immediate medical attention. Wash clothing before reuse and discard contaminated shoes.

Swallowing
Seek medical attention. If individual is drowsy or unconscious, do not give anything by mouth; place individual on the left side with the head down. Contact a physician, medical facility, or poison control center for advice about whether to induce vomiting. If possible, do not leave individual unattended.

Inhalation
If symptoms develop, move individual away from exposure and into fresh air. If symptoms persist, seek medical attention. If breathing is difficult, administer oxygen. Keep person warm and quiet; seek immediate medical attention.

Note to Physicians
Preexisting disorders of the following organs (or organ systems) may be aggravated by exposure to this material: skin, lung (for example, asthma-like conditions), liver.

5. FIRE FIGHTING MEASURES

Flash Point
330.0 F (165.5 C) COC

Continued on next page

Explosive Limit
No data

Autoignition Temperature
No data

Hazardous Products of Combustion
May form: acid vapors, carbon dioxide and carbon monoxide, various hydrocarbons.

Fire and Explosion Hazards
While not normally combustible, if water content is lost (as in a fire), material may release flammable vapors if exposed to high temperature. When mixed with air and exposed to ignition source, vapors can burn in open or explode if confined. Vapors may be heavier than air, may travel long distances along the ground before igniting/flashing back to vapor source.

Extinguishing Media
regular foam, water fog, carbon dioxide, dry chemical.

Fire Fighting Instructions
Water or foam may cause frothing which can be violent and possibly endanger the life of the firefighter. Water may be used to keep fire-exposed containers cool until fire is out. Wear a self-contained breathing apparatus with a full facepiece operated in the positive pressure demand mode with appropriate turn-out gear and chemical resistant personal protective equipment. Refer to the personal protective equipment section of this MSDS.

NFPA Rating
Health - 2, Flammability - 1, Reactivity - 0

6. ACCIDENTAL RELEASE MEASURES

Small Spill
Absorb liquid on vermiculite, floor absorbent, or other absorbent material and transfer to hood.

Large Spill
Eliminate all ignition sources (flares, flames including pilot lights, electrical sparks). Persons not wearing protective equipment should be excluded from area of spill until clean-up has been completed. Stop spill at source. Prevent from entering drains, sewers, streams or other bodies of water. Prevent from spreading. If runoff occurs, notify authorities as required. Pump or vacuum transfer spilled product to clean containers for recovery. Absorb unrecoverable product. Transfer contaminated absorbent, soil and other materials to containers for disposal.

7. HANDLING AND STORAGE

Handling
Containers of this material may be hazardous when emptied. Since emptied containers retain product residues (vapor, liquid, and/or solid), all hazard precautions given in the data sheet must be observed.

Continued on next page

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Eye Protection
Chemical splash goggles in compliance with OSHA regulations are advised; however, OSHA regulations also permit other type safety glasses. Consult your safety representative.

Skin Protection
Wear resistant gloves such as: neoprene, To prevent repeated or prolonged skin contact, wear impervious clothing and boots..

Respiratory Protections
If overexposure has been determined or documented, a NIOSH/MSHA jointly approved air supplied respirator is advised in absence of proper environmental control. OSHA regulations also permit other NIOSH/MSHA respirators under specified conditions. (See your safety equipment supplier.) Engineering or administrative controls should be implemented to reduce exposure.

Engineering Controls
Provide sufficient mechanical (general and/or local exhaust) ventilation to maintain exposure below level of overexposure (from known, suspected or apparent adverse effects).

Exposure Guidelines
Component

DIALLYL PHTHALATE (131-17-9)
No exposure limits established

PARA-BENZOQUINONE (106-51-4)
OSHA PEL 0.100 ppm - TWA
OSHA VPEL 0.100 ppm - TWA
ACGIH TLV 0.100 ppm - TWA

9. PHYSICAL AND CHEMICAL PROPERTIES

Boiling Point
(for component) 315.0 - 329.0 F (157.2 - 165.0 C) @ 760 mmHg

Vapor Pressure
(for component) 2.400 mmHg @ 68.00 F

Specific Vapor Density
8.800 @ AIR=1

Specific Gravity
1.100 @ 77.00 F

Liquid Density
9.150 lbs/gal @ 77.00 F
1.100 kg/l @ 25.00 C

Continued on next page

Percent Volatiles
95.0 %

Evaporation Rate
No data

Appearance
VISCOUS

State
LIQUID

Physical Form
HOMOGENEOUS SOLUTION

Color
AMBER

Odor
MILD LACHRYMATORY

pH
Not applicable

Solubility in Water
NEGLIGIBLE

10. STABILITY AND REACTIVITY

Hazardous Polymerization
Product can undergo hazardous polymerization. Avoid exposure to excessive heat, peroxides and polymerization catalysts.

Hazardous Decomposition
May form: acid vapors, carbon dioxide and carbon monoxide, various hydrocarbons.

Chemical Stability
Stable.

Incompatibility
Avoid contact with: strong acids, strong alkalies, strong oxidizing agents.

11. TOXICOLOGICAL INFORMATION

No data

Continued on next page

12. ECOLOGICAL INFORMATION

No data

13. DISPOSAL CONSIDERATION

Waste Management Information

Dispose of in accordance with all applicable local, state and federal regulations. For assistance with your waste management needs - including disposal, recycling and waste stream reduction, contact Ashland Distribution Company, IC&S Environmental Services Group at 800-637-7922.

14. TRANSPORT INFORMATION

DOT Information - 49 CFR 172.101

DOT Description:
ENVIRONMENTALLY HAZARDOUS SUBSTANCES, LIQUID, N.O.S.,9,UN3082,III

Container/Mode:
55 GAL DRUM/TRUCK PACKAGE

NOS Component:
PARA-BENZOQUINONE

RQ (Reportable Quantity) - 49 CFR 172.101

Product Quantity (lbs)	Component
200	BENZOQUINONE

15. REGULATORY INFORMATION

US Federal Regulations

TSCA (Toxic Substances Control Act) Status
TSCA (UNITED STATES) The intentional ingredients of this product are listed.

CERCLA RQ - 40 CFR 302.4(a)

Component	RQ (lbs)
QUINONE	10

SARA 302 Components - 40 CFR 355 Appendix A
Not applicable

Section 311/312 Hazard Class - 40 CFR 370.2
Immediate(X) Delayed(X) Fire( ) Reactive(X) Sudden Release of Pressure( )

SARA 313 Components - 40 CFR 372.65

Section 313 Component(s)	CAS Number	%
QUINONE	106-51-4	5.00

Continued on next page

OSHA Process Safety Management 29 CFR 1910
None listed

EPA Accidental Release Prevention 40 CFR 68
None listed

International Regulations
Inventory Status
DSL (CANADA) The intentional ingredients of this product are listed.

State and Local Regulations
California Proposition 65
None

New Jersey RTK Label Information

P-BENZOQUINONE	106-51-4

Pennsylvania RTK Label Information

1,2-BENZENEDICARBOXYLIC ACID, DI-2-PROPE	131-17-9
2,5-CYCLOHEXADIENE, 1,4-DIONE-	106-51-4

16. OTHER INFORMATION

The information accumulated herein is believed to be accurate but is not warranted to be whether originating with the company or not. Recipients are advised to confirm in advance of need that the information is current, applicable, and suitable to their circumstances.

Molding Technologies, Inc
85 N. High St.
P.O. Box 730
Hebron, OH 43025
Ph. 740-929-2065
Fax 740-928-2409

FAX TRANSMITTAL

DATE: 4 9-09

FROM: John Perhek

TO: Joe Fredal

COMPANY: _____

FAX #: 440-250-1743

NUMBER OF PAGES: 26 (Not including this cover sheet)

NOTES: Sheets Attached for MSDS for contents of drums

SHOULD ANY PROBLEMS HAVE OCCURRED DURING THE TRANSMISSION OF THIS FAX, PLEASE CONTACT MOLDING TECHNOLOGIES AT 740-929-2065

* * * Communication Result Report (Apr. 9. 2009 8:09AM) * * *
Fax Header) MOLDING TECHNOLOGIES

Date/Time: Apr. 9. 2009 7:45AM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
3448	Memory TX	14402501743	P. 27	E-2)2)2)2)2)	P. 1-27

did not go!

Reason for error
E. 1) Hang up or line fail
E. 3) No answer
E. 5) Exceeded max. E-mail size
E. 2) Busy
E. 4) No facsimile connection

MOLDING TECHNOLOGIES

Molding Technologies, Inc
85 N. High St.
P.O. Box 750
Hebron, OH 43025
Ph. 740-929-2065
Fax 740-928-3409

FAX TRANSMITTAL

DATE: 4 9-09

FROM: John Parker

TO: Joe Fredal

COMPANY:

FAX #: 440-250-1740

NUMBER OF PAGES: 26 (Not including this cover sheet)

NOTES: sheets attached for MSDS for contents of drums

SHOULD ANY PROBLEMS HAVE OCCURRED DURING THE TRANSMISSION OF THIS FAX, PLEASE CONTACT MOLDING TECHNOLOGIES AT 740-929-2065

Ohio EPA
State of Ohio Environmental Protection Agency
Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

May 8, 2009

RE: FORMER GENERAL INDUSTRIES
OHD 004 448 551
LORAIN COUNTY

CERTIFIED MAIL

Mr. John Peshek
c/o B-Vest Properties
154 Olive Street
Elyria, OH 44035

Mr. Jack Vasi
618 Oberlin Road
Elyria, OH 44035

Dear Mr. Peshek and Mr. Vasi:

On April 10, 2009, US EPA forwarded, via e-mail, copies of three different material safety data sheets (MSDS) for three different chemicals believed to be remaining at the former General Industries site located at 154 Olive Street, Elyria, to Ohio EPA. The three MSDS were for the following materials all manufactured by Ashland:

Aropol™Q 6585 Resin 30070
Aropol™ Q 8000 Resin 31600
Aropol Mod E ACC 3906076

Mr. Peshek indicated to US EPA that he was working with the owner of the material to have them remove the drums from the site. Mr. Peshek did not divulge the name of this owner.

Ohio EPA has several concerns with this proposed course of action.

First, when Ohio EPA had a meeting with you, no mention of other persons who may own some of the drummed material was referenced when the subject of the remaining on-site drums was discussed. Ohio EPA would want to know the names of said owners. If these owners were to take responsibility for the drums, documentation would need to be presented to Ohio EPA demonstrating the final disposition of the drums (e.g. manifests, bills of lading, etc.).

Second, based on Ohio EPA's observations, the drums remaining at the site are not clearly labeled. Many are missing labels and many were scorched by the fire. Mr. Peshek and/or the owner of the drums would need to make a definitive demonstration that the drums do contain the materials as noted in the MSDS and not some other material. This demonstration could be made through implementing a sampling and analysis plan approved by Ohio EPA. If you decide to characterize the drums on your own, be aware that if you cannot thoroughly document and demonstrate the following, the sampling may not be acceptable and would have to be repeated:

1. How the samples were collected;

2. The sampling was representative; and

3. The laboratory results pass a data validation.

Third, if the drums do contain the material as indicated by the MSDS, the drums may have undergone reactions due to the fire. Per the MSDS these chemicals can undergo polymerization if exposed to heat. In addition, the drums have been exposed to the elements since the fire and may no longer be usable. If the material is a waste, a demonstration that the waste is non hazardous would need to be made and the drums would need to be removed to the appropriate disposal facility.

Please be aware that Ohio EPA has noted at least 52 drums on site that have lids. Of these, some have bungs in place, others are open. There are additional drums that have no tops and may be empty or have material, including, but not limited to rainwater. There is also a plastic square tank with a dark reddish liquid. It has the top plug removed with a hose sticking into it. There is another plastic tank that has some residual liquid in the bottom. Finally, there is a metal tank labeled "clean". It is unknown as to whether or not any of these containers match the MSDS or if they contain any material at all.

You cannot dump any of the material found in these containers on the ground or into the sewer system even if you believe it only contains rainwater. You will need to do analytical testing prior to removing any of the containers from the site so that the material in them can be managed appropriately. As discussed with you in early correspondence, the material would need to be analyzed to determine whether or not the material should be managed as a hazardous waste. If any sampling is conducted on any of the containerized material, please consider submitting a sampling and analysis plan as discussed above. If you chose not to submit a plan, please notify Ohio EPA at least five (5) business days in advance of the event so that we might be present to watch the sampling and perhaps split samples with you.

Please do not consolidate the material in the containers without being able to demonstrate what is in each container. If you mix a hazardous waste with a non hazardous waste, you may be conducting treatment of a hazardous waste without a permit, which is a significant violation of Ohio's rules and regulations. Once you can demonstrate that there are like materials, you can consolidate the materials for off-site shipment.

If you need to contact Ohio EPA regarding this issue, please contact me at (330) 963-1159.

Sincerely,

Karen Nesbit
Division of Hazardous Waste Management

KN:ddw

cc: Bob Princic, DAPC, NEDO
Keith Riley, Assistant Chief, NEDO
Rich Blasick, DSW, NEDO
Tom Buchan, DAPC, CO
Charlotte Hickox, Director's Office, CO
Joseph Fredle, U.S. EPA – Westlake
Terry Shilling, City of Elyria
ec: Natalie Oryshkewych, DHWM, NEDO
Rich Kolosionek, DAPC, NEDO

ROBERT F. WALTER
Professional Industrial Hygiene and Environmental Services
2415 Lee Road Cleveland Heights, Ohio 44118 216-233-1094

May 8, 2009

Robert T. Princic, Jr.
Environmental Supervisor
2110 East Aurora Road
Twinsburg, OH 44087

Reference: General Industries Property 154 Olive Street Elyria, Ohio
Asbestos abatement of selected high priority pipe

Dear Mr. Princic,

Per our discussion today at the site, the following question was asked by Mr. John Peshak, owner. Would it be possible to have an Ohio licensed asbestos abatement contractor remove the one insulated pipe extending from the main building and immediate and obvious contamination below the pipe without being forced to consider this the initiation of the site-wide cleanup?

At issue is the imminent nature of the insulation on this pipe; the pipe extends from the south side of the building at a height of approximately 20 feet, is damaged from the fire and weathering, and is a high concern to USEPA coordinator, Joe Fredle. Mr. Fredle expressed his hope that this exposed insulation and the contaminated soil directly beneath it, be handled as soon as practical.

Also at issue is the general ruling that once cleanup has begun, it is expected to continue until the point of completion has been reached. As discussed, we are working on developing the detailed plan required to address all concerns at this site, specifically regulatory compliance. However, it seems prudent for the pipe to be addressed as a separate issue as this could be handled immediately and in a cost efficient manner.

Please consider this the formal request for interpretation by EPA and ODH on this issue. Following your response, we will be able to act on this item with utmost haste.

Following our meeting, we have also begun to complete the details of our proposed site clean up plan.

Thank you for your attention to this concern.

Regards,

Robert F. Walter
Industrial Hygiene Consultant

cc: John Peshak, Jack Vasi, Joseph Fredle, File

OhioEPA
State of Ohio Environmental Protection Agency
Northeast District Office

2110 East Aurora Rd.
Twinsburg, Ohio 44087

TELE: (330) 963-1200 FAX: (330) 487-0769
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

May 22, 2009

Delivered by E-Mail and 1st Class Mail

Mr. Robert Walter
2415 Lee Road
Cleveland Heights, OH 44118

Dear Mr. Walter:

The purpose of this letter is to respond to your May 8, 2009 request regarding the targeted asbestos abatement you proposed at the former General Industries site, 154 Olive Street in Elyria (Lorain Co.). Your request arose from discussions that occurred among representatives of Ohio EPA, U.S. EPA and the property owner, Mr. John Peshek, that occurred on May 8 at the site. You are permitted to proceed with further planning and conducting the limited asbestos removal activities that you have outlined in your letter.

As you are aware, U.S. EPA has prepared a scope of work for a proposed time-critical removal action which includes removal of visible asbestos from the overhead pipe referenced in your letter, along with site-wide gross asbestos assessment and removal. Ohio EPA and the Ohio Department of Health (ODH) have evaluated your May 8 request.

We wish to emphasize that both federal and state agencies involved with this project remain concerned about the potential for airborne releases of asbestos to the environment and surrounding community. Any proposed abatement and removal activities you conduct must be designed to ensure that all required notification and work practice requirements are followed. You are also required to ensure that adequate wetting of the asbestos-containing material (ACM) and other affected material, along with the nearby work area, is performed.

Ohio EPA inspectors will be performing surveillance and inspections of work activities and required documentation to ensure that all applicable state and federal regulations are followed.

If you have any additional questions regarding this letter, please contact me at (330) 963-1230, or at: Bob.princic@epa.state.oh.us.

Sincerely,

Bob Princic
Environmental Supervisor
Division of Air Pollution Control

BP:cl

cc: Tom Buchan, DAPC/CO
Bob Bechtel, DAPC/NEDO
Joe Fredle, U.S. EPA – Westlake
Kathryn Boylan, City of Elyria
Charlotte Hickox, Director's Office
Allan Richards, ODH
Terry Shilling, City of Elryia